

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Regarding: Leslie E. Smith et al.
Serial No. 10/743,936
Filing Date 12/23/2003
For FORMATION OF WIDE PAINT FILM PARTS

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JUN 17 2005

Petition to Instruct Examiners
to Withdraw Restriction

Attention: Group Art Unit 1732
SUPERVISOR OF Examiner Monica A. Fontaine,
and SPE Michael P. Colaianni

M.S. AF, Commissioner for Patents, Alexandria, VA 22313-1450:

I certify that this correspondence is facsimile-transmitted
to the Patent and Trademark Office (703 872 9306) on 17 JUN 2005:

Christopher John Rudy: Christopher John Rudy 17 JUN 2005.

In consideration of the 04/18/2005 final Office action (Paper No. 040705) for the present utility patent application, please instruct the Examiners to withdraw the restriction of present claims 32-25 and examine these claims. Reconsideration has been requested in the Amendment filed on January 26, 2005; no fee is due herefor; and traverse is maintained of the restriction.

As noted on the introductory page of the Amendment, claims 32-35 are product-by-process claims, each requiring manufacture by a method as of elected claim 10. See, the Amendment, or the Appendix of the AF Remarks filed concurrently herewith. (These claims replaced and augmented restricted, canceled product claims 16-19.) Such a claimed product by process, by definition, cannot be made by another materially different method such as extrusion.

The product is made from laminated paint film sheet stock, and is wider than the starting stock. No prior art shows this.

The Examiners had been requested by the Amendment to provide a reference that would support their assertion, but failed to do so. Clearly, the claimed product is not known nor cannot be made by extrusion as baldly asserted by the Examiners.

There is no undue search burden. A search for the elected method is in effect a search for the product made by that method.

Please, therefore, instruct the Examiners to withdraw the restriction requirement of claims 32-35 and examine these claims.

Respectfully,

Dated: June 17, 2005 A.D.

Christopher John Rudy
PTO Registration No. 31,873
209 Huron Avenue, Suite 8
Port Huron, Michigan 48060
Telephone (810) 982-4221